

BIGFORK LAND USE ADVISORY COMMITTEE
Approved Minutes for March 30,2017
4:00 PM Bethany Lutheran Church

Chairwoman Johnson called the meeting to order at 4:01 p.m.

Present: Committee members Susan Johnson, Jim Bonser, John Bourquin and Shelley Gonzales. There were 7 members of the public in attendance. Donna Valade and Rachel Ezell from Planning and Zoning Department were present.

The agenda was adopted (m/s, Gonzales/Bonser, unanimous)

The minutes of the December 29, 2016 meeting were approved as corrected (m/s, Bonser/Gonzales, unanimous)

Administrator's Report and Announcements:

Sign-in sheet with e-mail address for copy of draft minutes and draft minutes are posted on the County website: flathead.mt.gov/planning_zoning/documents.

Public Comment:

None

Application:

FZC-17-03 Dwight & Ann Lamm- A zone change request by WGM Group, Inc. on behalf of Dwight & Ann Lamm in the Bigfork Zoning District. The proposal would change the zoning on a parcel containing approximately 21.9 acres from *AG-20 (Agricultural)* to *SAG-5 (Suburban Agricultural)*. The subject property is located at 6955 Highway 35 near Bigfork and can legally be described as follows:
Parcel A of Certificate of Survey No. 10082, located in the Southwest Quarter of the Southwest Quarter of Section 12, Township 27 North, Range 20 West P.M.M., Flathead County, Montana.

Excepting Therefrom:

That portion conveyed to the state of Montana for Highway purposes in bargain and sale deed recorded April 30, 1992 as Doc. No. 92-121-09300.

Staff Report:

Donna Valade presented the application.

Q. Gonzales: On page 12, what does ADU mean? A. Accessory Dwelling Unit.

Q. Johnson: Will bike paths be constructed on the property? A. That would be addressed in subdivision review.

Q. Johnson: Would the ACUP granted in 2002 remain with the property if subdivided? A. Yes, but not sure how it would be addressed in subdivision review.

Applicant Report:

BJ Grieve with WGM Group represented the applicants.

Q. Johnson: Can the applicant get 4 five acre lots from the 20 acre parcel? A. It is not the applicant's intent to maximize the number of lots due to the odd parcel configuration. Most likely there would be 3 5 to 7 acre lots.

Public Agencies:

None

Public Comment:

Sally Janover read a prepared statement opposing both zone change applications. See attached statement.

Staff Response:

None

Applicant Response:

None

BLUAC Committee Action:

There was no additional committee discussion.

Findings of Fact:

It was moved by John Bourquin and seconded by Jim Bonser to adopt the Findings of Fact, vote was unanimous.

Vote on Application:

A motion to forward a recommendation to the Planning Board to approve the application was made by Jim Bonser and seconded by John Bourquin. Motion passed unanimously.

Application:

FZC-17-02 Mary Jo Naive/RiverRoad Properties LLC- A zone change request by Mary Jo Naive and River Road Properties, LLC for properties located in the Bigfork Zoning District. The proposal would change the zoning on a parcel containing approximately 20 acres from AG-20 (*Agricultural*) to SAG-5 (*Suburban Agricultural*). The properties are located at 196 and 322 Slow Down Lane near Bigfork, MT and can legally be described as follows:

Tract 2B: The North Half of the South Half of the Northeast Quarter of the Southeast Quarter (N1/2S1/2NE1/4SE1/4) of Section 12, Township 27 North, Range 20 West, M.P.M., Flathead County, Montana.

Together with an easement for the purpose of ingress and egress and for utilities purposes, to and from the above recited real property, as more fully described in the easement set forth on the deed recorded in Book 650, Page 05, records of Flathead County, Montana.

Subject to easement recorded August 24, 1962 under Recorder's Fee No. 6480 in Book 447, Page 580, records of Flathead County, Montana.

Subject to easement recorded June 9, 1976 under Recorder's Fee No. 5964 in Book 598, Page 450, records of Flathead County, Montana. Tract 1 of Certificate of Survey No. 4082

AND

Tract 2BA: The South Half of the South Half of the Northeast Quarter of the Southeast Quarter (S2S2NE1/4SE1/4) of Section 12, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana. Tract 2 of Certificate of Survey No. 4082.

Prior to the presentation of the application, Shelley Gonzales stated that applicant Mary Jo Naïve had served with her on BLUAC many years ago. Gonzales stated that she would be impartial in voting on the application and did not need to recuse herself. John Bourquin, who also served with Mary Jo Naïve on BLUAC, also stated that he would be impartial and did not need to recuse himself.

Staff Report:

Rachel Ezell presented the application.

Q. Bonser: Please clarify the maximum number of lots. A. Maximum is 4.

Q. Bonser: The property road is 12 feet wide. Doesn't it need to be widened? A. Under a family transfer it does not. However, under subdivision review the fire department may require widening.

Applicant Report:

None.

Q. Johnson: Why are these two 10 acre lots? A. Applicant stated that she had thought this was SAG-5 zoning when she bought the property 32 years ago.

Public Agencies:

None

Public Comment:

None

Staff Response:

None

Applicant Response:

None

BLUAC Committee Action:

Bourquin restated the difference between family transfer and subdivision review requirements.

Findings of Fact:

It was moved by John Bourquin and seconded by Jim Bonser to adopt the Findings of Fact, vote was unanimous.

Vote on Application:

A motion to forward a recommendation to the Planning Board to approve the application was made by Jim Bonser and seconded by Susan Johnson. Motion passed unanimously.

Old Business:

None

New Business:

None

There was a general discussion between BLUAC and staff. The Short-Term Rental text amendment will go before the Commissioners on June 1st. Bourquin stated that the performance standards that were added to the application on March 8th will not be forwarded to the Commissioners as the Planning Board was deadlocked on its decision regarding the application, therefore, no recommendation.

Adjourn:

Meeting was adjourned at 4:55 p.m.

Respectively submitted,
Shelley Gonzales, Acting Secretary